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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,081	12/14/2004	Peter Dam Nielsen	893-011876-US (PAR)	2106
2512	7590	05/19/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			LAM, DUNG LE	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/502,081	NIELSEN, PETER DAM	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dung Lam	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 14 and 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/8/06 has been entered.

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Exchangeable cover with mapping of keys to tones and sound effects".

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations from the last paragraph of claim 1, "user-defined mapping of a set of tones or sound effects to one or more keys and the keys are adapted for creating and sending of sounds or messaging" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-11, 13-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Andrews** (US Patent No. 5,911,121) in view of **Gum** (US Patent No. 6,477,390) in further view of **White et al.** (US Publication No. 2005/0026643).

3. Regarding **claim 1**, **Andrews** teaches a method operating electric circuitry included in an exchangeable cover part (44, Fig. 2) for supporting a user interface of a wireless terminal (10, Fig. 2), said wireless communication terminal and said user exchangeable cover part are electrically interconnected by means of an electrical connector (60, Fig. 3) having a plurality of pins (C1, C2, C3, Fig. 4), said method comprises: identifying a type of said user exchangeable cover part and (Col. 3, line 34-39); operating at least one of said connector pins in an operation state (Col. 3, line 34-39) for operating the electric circuitry of said user exchangeable cover part (Col. 3, line 41 - Col. 4, line 22, Table 1); However, **Andrews** does not explicitly teach a user-defined mapping of a set of tones or sound effects to the one of more keys connected to said electric circuitry of said user exchangeable cover. In an analogous art, **Gum** teaches a user-defined mapping of a set of audio tones to one or more keys (Col. 2 L9-14, Col. 4-6 especially C6 In 30-65, Figs. 1, 3-4). Therefore, it would have been obvious for one skill in the art at the time of the invention to combine Andrew's exchangeable cover and Gum's teaching of a user-defined mapping of enunciating certain audio tones to the keys to provide a user-friendly feature in reassuring users in dark environment or sight-impaired users that the correct buttons were pressed (Col. 1 L35-49).

However, **Andrews and Gum** do not specifically teach that said keys are adapted for (Note MPEP, 2111.04 [R-3] teaches that "adapted for" makes the limitation an optional limitation. However, for the applicant's convenience, the examiner will also address this limitation) sound creating purposes comprising sound creating applications. In an analogous art, **White** teaches that said keys are connected to said electric circuitry (controller, Fig. 13, para. 08, 10, 47, 60, 62, 66) and wherein said keys are adapted for sound creating purposes comprising music composing applications, sound creating applications (create tunes para. 88), system sound creation (sound generation system, para. 134), sending sounds with multimedia messaging service (par. 87) or any combination thereof. **White** further teaches that the supplier of the fascia may attract buyers by providing additional data such as ringing tones to advertise itself or other companies (para. 60). Therefore, it would have been obvious for one of ordinary skill in the art at the time of invention to combine Andrews's user exchangeable cover and Gum's user-defined mapping of the keys to the tone and **White's** keys for sound creating applications or tune creation features to make the fascia more interesting and thus more marketable.

4. Regarding **claim 2**, Andrews, Gum and White teach all the limitations as in claim 1. Andrew further teaches said value is a resistor value included in the identification means (Col. 3, line 54 - Col. 4, line 10).

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5. Regarding **claim 3**, Andrews, Gum and White teach all the limitations as in claim

2. White further teaches an operation state is a frequency mode for directing an electrical representation of a ringing signal to the electric circuitry for providing an illumination effect following the ringing signal (para. 102 - 104). Therefore, it would have been obvious for one of ordinary skill in the art at the time of invention to add the illumination effects following a ringing tone to better inform a user of an incoming call since it is easier to see than hear a notification in a noisy environment.

6. Regarding **claim 4**, it is an apparatus claim corresponding to the method claim 1. Therefore it is rejected for the same reasons as claim 1.

7. Regarding **claim 5**, Andrews, Gum and White teach all the limitations as in claim

4. Andrews further teaches said connector pins are arranged in line in an equal distance (Fig. 9 and 7).

8. Regarding **claim 6**, Andrews, Gum and White teach all the limitations as in claim

5. Although they fail to teach that the connector pins are arranged at the rear side of the cover part, changing the location from the front to the rear of the cover does not change the functionality of the cover. Therefore, it would have been obvious for one of ordinary skill in the art to place the pins at the rear as a designer's choice to best fit the rest components of the cover.

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9. Regarding **claim 7**, Andrews, Gum and White teach all the limitations as in claim 6. Andrews teaches the number of connector pins is four. He does not teach the number to be three nor five. However, he teaches that there can be  $2^n$  combinations of models that can be supported depending on n number of pins. Therefore, it would have been obvious for one of ordinary skill in the art to choose 3 or 5 pins depending on the number of models the supplier would like to support (Col. 4, lines 17-20).

10. Regarding **claim 9**, Andrews, Gum and White teach all the limitations as in claim 5. Andrew teaches said value is a resistor value included in the identification means (Col. 3, line 54 - Col. 4, line 10).

11. Regarding **claim 10**, Andrews, Gum and White teach all the limitations as in claim 6. White teaches the operation state is a frequency mode for directing an electrical representation of a ringing signal to the electric circuitry for providing an illumination effect synchronized with the ringing signal (para. 102 - 104).

12. Regarding **claim 13**, it is a cover that corresponds to the exchangeable cover as claimed in claim 4. Therefore it is rejected for the same reason as claim 4.

13. Regarding **claim 16**, Andrews, Gum and White teach all the method according to claim 1 further comprising, running a program stored in a memory of the user



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exchangeable cover part of a processor of the user exchangeable cover part (para. 66-72).

14. Regarding **claim 17**, it is an apparatus that corresponds to the exchangeable cover method claim 16. Therefore, it is rejected for the same reason as claim 16.

15. Regarding **claim 18**, it is a method that corresponds to the exchangeable cover method claim in 16. Therefore it is rejected for the same reason as claim 16.

16. Claims **11 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Andrews** (US Patent No. 5911121) in view of **Gum** (US Patent No. 6,477,390) further in view of **White et al.** (US Publication No. 2005/0026643) further in view of **Zhao** (Patent No. 2004/0204135)

17. Regarding **claims 11 and 14**, Andrews, Gum and White teach all the limitations as in claim 4 and 13 respectively. However, they fail to teach said set of tones and/or sound effects comprise music instrument digital interface tones. In an analogous art, **Zhao** teaches ring tones in the form of MIDI (6, 18, 25, 13 and 18). Therefore, it would have obvious for one of ordinary skill in art at the time of invention to add the MIDI tone as another plus feature into the fascia to make the product more marketable.

### ***Response to Arguments***

Applicant's arguments with respect to claim 1-11, 13 and 14-18 filed on 5/1/06 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***


18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Lam whose telephone number is (571) 272-6497. The examiner can normally be reached on M - F 9 - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

5/10/2006

  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER